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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/821,176	03/29/2001	Douglas M. Camens	US010077	4010
24737 7590 05/28/2010 PHILIPS INTELLECTUAL PROPERTY & STANDARDS P.O. BOX 3001 BRIARCLIFF MANOR, NY 10510				
EXAMINER				
CHANKONG, DOHIM				
ART UNIT		PAPER NUMBER		
2452				
MAIL DATE		DELIVERY MODE		
05/28/2010		PAPER		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

09/821,176

Applicant(s)

CAMENS, DOUGLAS M.

Examiner

DOHM CHANKONG

Art Unit

2452

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 18 March 2010.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/CD)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

This final rejection is in response to Applicant's amendment filed on 3/18/2010.

Applicant amends claims 1, 4, 6, 7, 8, 12, 15, and 18. Claims 1-20 are presented for further examination.

I. RESPONSE TO ARGUMENTS

Applicant's arguments with respect to claims 1-20 have been considered but are moot in view of the new ground(s) of rejection.

II. CLAIM REJECTIONS - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

A. Claims 1-3, 6, 12-14, and 18-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over *Wang*, U.S. Patent Publication No. 2003/0009537, in view of *Kimmel et al*, U.S. Patent No. 6.281.790 [*"Kimmel"*].

The line citations below refer to *Wang* unless otherwise noted.

Claim 1

Wang discloses a peer distributed, embedded web server system accessing and controlling a plurality of devices, the system comprising:

a master control device selected from the plurality of devices, the master control device comprising an embedded web server [Fig. 2: plurality of devices including a DTV, DVD, DVCR

| Fig. 4a «items 102, 212»: DTV containing a web server], each of the plurality of devices including a peer interface module and host software [Fig. 1 «item 14»: service control program corresponds to peer interface module | Fig. 4b «items 202, 204»: the web pages correspond to host software];

one or more linked devices selected from the plurality of devices and are controlled by said embedded web server of said master control device [Figs 2 & 22], the peer interface module of said linked devices communicates in a peer to peer manner with the peer interface module of said master control device for being controlled by said embedded web server [Fig. 1: using the service control program to communicate with other devices (server to server type communication)];

a device for operating a web browser communicating with said embedded web server on said master control device in order to access said linked devices [Fig. 22 «items 12, 1052, 1058» | 0273, 0275: a user operating a browser on a remote PC to access the DTV which controls the other devices in the network];

wherein said web browser controls each of said linked devices indirectly through said embedded server on said master control device [0275: "the user can control the discovered device through that TV 1058" (i.e., user indirectly controls discovered devices through the DTV)] and receives data directly from each of said plurality of devices that have been selected to provide the data [Kimmel, column 2, lines 23-35: ending monitored data directly to the user operated browser].

As indicated in the foregoing claim mapping, *Wang* does not explicitly disclose that the user operated web browser receives data directly from the plurality of linked devices that have

been selected. However, this feature was well known in the art at the time of Applicant's invention as evidenced by *Kimmel* whose remote monitoring system allows for monitored data to be sent directly to a monitoring site (or user operated browser).

It would have been obvious to one of ordinary skill in the art at the time of the applicant's invention to modify the system of *Wang* by adding the ability for the user operated web browser to receive data directly from the plurality of linked devices that have been selected as provided by *Kimmel*. The combination improves *Wang*'s remote monitoring system where the precise location of an object being monitored can be provided to a monitoring site in real time. See *Kimmel*, column 1, line 65 through column 2, line 5.

Claims 2 and 13

Wang as modified by *Kimmel* discloses the peer distributed, embedded web server system for accessing and controlling the plurality of devices in accordance with claim 1, wherein said peer interface module of said master control device has an addressing capability for communicating individually with each of the linked devices [Fig. 1 | 0125, 127].

Claims 3 and 14

Wang as modified by *Kimmel* discloses the peer distributed, embedded web server system for accessing and controlling the plurality of devices in accordance with claim 1, wherein said plurality of devices each comprise a device selected from at least one of a digital video recorder, a digital video encoder, and a network camera [Fig. 2 «item 110»].

Claim 6

Wang as modified by *Kimmel* discloses the peer distributed, embedded web server system for accessing and controlling the plurality of devices in accordance with claim 5, wherein said

web browser provides HTTP commands to said embedded web server of said master control device for receiving a video stream from any designated one or more of said plurality of devices [0086: "video stream source 208 in the DVCR"].

Claim 12

Wang as modified by *Kimmel* discloses a distributed system for accessing and controlling the plurality of devices, the system comprising:

a master control device selected from the plurality of devices, the master control device comprising an embedded web server, each of the plurality of devices including a peer interface module and host software [Fig. 2: plurality of devices including a DTV, DVD, DVCR | Fig. 4a «items 102, 212»: DTV containing a web server], each of the plurality of devices including a peer interface module and host software [Fig. 1 «item 14»: service control program corresponds to peer interface module | Fig. 4b «items 202, 204»: the web pages correspond to host software];

one or more linked devices selected from the plurality of devices and are controlled by said embedded web server of said master control device [Figs. 2 and 22], the peer interface module of said linked devices communicates in a peer to peer manner with the peer interface of said master control device for controlling each of said plurality of devices by said embedded web server through said peer interface [Fig. 1: using the service control program to communicate with other devices (server to server type communication)];

a web browser [Fig. 22 «item 1058»] configured to access the embedded web server on said master control device to enable the web browser to indirectly control each of said plurality of devices through the embedded web server on said master control device [0273, 0275: "the user can control the discovered device through that TV 1058" (i.e., user indirectly controls

discovered devices through the DTV)) and directly receive data from each of said plurality of devices [*Kimmel*, column 2, lines 23-35].

See the rejection of claim 1 for reasons to combine *Wang* and *Kimmel*.

Claim 18

Wang as modified by *Kimmel* discloses the distributed server system for accessing and controlling the plurality of devices in accordance with claim 12, further comprising a viewer within the web browser that allows data from data from each of said linked devices to be viewed by said master control device [Fig. 13 | 0086].

Claim 19

Wang as modified by *Kimmel* discloses the distributed server system for accessing and controlling the plurality of devices in accordance with claim 18, further comprising a web page within said web browser that allows incorporation of at least one additional of said linked devices into the distributed server system [Fig. 13 | 0086].

Claim 20

Wang as modified by *Kimmel* discloses the distributed server system for accessing and controlling the plurality of devices in accordance with claim 19, wherein said web page provides address entry of said at least one additional of said linked devices for incorporation of data from said at least one additional of said linked into said viewer [0134: each device in the network has a 1394 address for communication and incorporation of the device's data into the home page | Fig. 13].

- B. Claims 4, 5, 7-11, 15-17 are rejected under 35 U.S.C. § 103(a) as being unpatentable over *Wang* and *Kimmel*, in further view of *Namma* et al, U.S. Patent No. 6,182,116 [*"Namma"*].**

The line citations below refer to *Wang* unless otherwise noted.

Claims 4, 9, and 15

Wang as modified by *Kimmel* and *Namma* discloses the peer distributed, embedded web server system for accessing and controlling the plurality of devices in accordance with claims 3, 7, and 14, respectively, wherein each of said plurality of devices comprise a digital video recorder [Fig. 2 «item 110»], and wherein each digital video recorder is operatively connected to at least one camera [*Namma*, column 24, lines 39-42].

As noted above, *Wang* does not disclose a video recorder that is connected to a camera. However, such a feature was well known in the art at the time of Applicant's invention as evidenced by *Namma*.

Namma discloses utilizing a combination of the video recorder and camera. It would have been obvious to one of ordinary skill in the art to have modified *Wang's* system to include a camera device as taught by *Namma*. Such a modification is an example of combining prior art elements according to known methods to yield predictable results. *See* MPEP § 2143.

Claims 5, 10, and 16

Wang as modified by *Kimmel* and *Namma* discloses the peer distributed, embedded web server system for accessing and controlling the plurality of devices in accordance with claims 1, 7, and 12, respectively, wherein said plurality of devices are each operatively connected to at least one camera (*Namma*, figure 14, item 2002 and figure 9, items 2002 and 3002).

Claim 7

Wang as modified by *Kimmel* and *Namma* discloses an embedded web server system for accessing and controlling the plurality of devices, the embedded web server system comprising:

a master control device selected from the plurality of devices, the master control device comprising an embedded web server [Fig. 2: plurality of devices including a DTV, DVD, DVCR | Fig. 4a «items 102, 212»: DTV containing a web server], each of the plurality of devices including a peer interface module and host software [Fig. 1 «item 14»: service control program corresponds to peer interface module | Fig. 4b «items 202, 204»: the web pages correspond to host software];

one or more linked devices selected from the plurality of devices and are controlled by said embedded web server of said master control device [Figs 2 & 22], the peer interface module of said linked devices communicates in a peer to peer manner with the peer interface module of said master control device for being controlled by said embedded web server [Fig. 1: using the service control program to communicate with other devices (server to server type communication)];

a device for operating a web browser communicating with said embedded web server on said master control device in order to access said linked devices [Fig. 22 «items 12, 1052, 1058» | 0273, 0275: a user operating a browser on a remote PC to access the DTV which controls the other devices in the network]; and

at least one camera operatively connected to each of said plurality of devices [*Namma*, figure 14, item 2002 and figure 9, items 2002 and 3002],

wherein said cameras on the linked devices are controlled by said web browser indirectly through said embedded server on said master control device [0275: "the user can control the discovered device through that TV 1058" (i.e., user indirectly controls discovered devices through the DTV) | *Namma*, column 21 «lines 30-43 and 55-62»] and receives data directly from each of said plurality of devices that have been selected to provide the data [*Kimmel*, column 2, lines 23-35: ending monitored data directly to the user operated browser].

See the rejection of claim 1 for reasons to combine *Wang* and *Kimmel* and claim 4 for reasons to combine *Wang* and *Namma*.

Claim 8

Wang as modified by *Kimmel* and *Namma* discloses the embedded web server system for accessing and controlling the plurality of devices in accordance with claim 7, wherein said peer interface of said master control device has an addressing capability for communicating individually with each of the linked devices [Fig. 1 | 0125, 127].

Claims 11 and 17

Wang as modified by *Kimmel* and *Namma* discloses the embedded web server system for accessing and controlling the plurality of devices in accordance with claims 10 and 16, respectively, wherein said web browser provides HTTP commands to said embedded web server of said master control device for receiving a video stream from any designated one or more of said plurality of devices [Fig. 22: sending commands over the Internet 1056 implies use of HTTP commands | 0086].

III. CONCLUSION

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. See attached PTO-892.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to DOHM CHANKONG whose telephone number is (571)272-3942. The examiner can normally be reached on Monday to Friday [10 am - 6 pm].

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Thu Nguyen can be reached on (571)272-6967. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/DOHM CHANKONG/
Primary Examiner, Art Unit 2452